



General Assembly

January Session, 2003

Amendment

LCO No. 6810

SB0090006810HDO

Offered by:

REP. STONE, 9th Dist.

To: Subst. Senate Bill No. 900

File No. 318

Cal. No. 506

"AN ACT CONCERNING COURT OPERATIONS AND TECHNICAL REVISIONS TO CERTAIN STATUTES PERTAINING TO THE JUDICIAL BRANCH."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 46b-82 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2003*):

5 At the time of entering the decree, the Superior Court may order
6 either of the parties to pay alimony to the other, in addition to or in
7 lieu of an award pursuant to section 46b-81. The order may direct that
8 security be given therefor on such terms as the court may deem
9 desirable, including an order to either party to contract with a third
10 party for periodic payments or payments contingent on a life to the
11 other party. The court may order that a party obtain life insurance as
12 such security unless such party proves, by a preponderance of the
13 evidence, that such insurance is not available to such party, such party
14 is unable to pay the cost of such insurance or such party is

15 uninsurable. In determining whether alimony shall be awarded, and
16 the duration and amount of the award, the court shall hear the
17 witnesses, if any, of each party, except as provided in subsection (a) of
18 section 46b-51, shall consider the length of the marriage, the causes for
19 the annulment, dissolution of the marriage or legal separation, the age,
20 health, station, occupation, amount and sources of income, vocational
21 skills, employability, estate and needs of each of the parties and the
22 award, if any, which the court may make pursuant to section 46b-81,
23 and, in the case of a parent to whom the custody of minor children has
24 been awarded, the desirability of such parent's securing employment.

25 Sec. 502. Subsection (f) of section 46b-84 of the general statutes is
26 repealed and the following is substituted in lieu thereof (*Effective*
27 *October 1, 2003*):

28 (f) After the granting of a decree annulling or dissolving the
29 marriage or ordering a legal separation, and upon complaint or motion
30 with order and summons made to the Superior Court by either parent
31 or by the Commissioner of Administrative Services in any case arising
32 under subsection (a) or (b) of this section, the court shall inquire into
33 the child's need of maintenance and the respective abilities of the
34 parents to supply maintenance. The court shall make and enforce the
35 decree for the maintenance of the child as it considers just, and may
36 direct security to be given therefor, including an order to either party
37 to contract with a third party for periodic payments or payments
38 contingent on a life to the other party. The court may order that a party
39 obtain life insurance as such security unless such party proves, by a
40 preponderance of the evidence, that such insurance is not available to
41 such party, such party is unable to pay the cost of such insurance or
42 such party is uninsurable. The court shall include in each support
43 order a provision for the health care coverage of the child which
44 provision may include an order for either parent to name any child
45 who is subject to the provisions of subsection (a) or (b) of this section
46 as a beneficiary of any medical or dental insurance or benefit plan
47 carried by such parent or available to such parent on a group basis
48 through an employer or a union. Any such employment-based order in

49 a IV-D support case shall be enforced using a National Medical
50 Support Notice as provided in section 46b-88. If such insurance
51 coverage is unavailable at reasonable cost, the provision for health care
52 coverage may include an order for either parent to apply for and
53 maintain coverage on behalf of the child under the HUSKY Plan, Part
54 B. The noncustodial parent shall be ordered to apply for the HUSKY
55 Plan, Part B only if such parent is found to have sufficient ability to
56 pay the appropriate premium. In any IV-D support case in which the
57 noncustodial parent is found to have insufficient ability to provide
58 medical insurance coverage and the custodial party is the HUSKY
59 Plan, Part A or Part B applicant, the provision for health care coverage
60 may include an order for the noncustodial parent to pay such amount
61 as is specified by the court or family support magistrate to the state or
62 the custodial party, as their interests may appear, to offset the cost of
63 any insurance payable under the HUSKY Plan, Part A or Part B. In no
64 event may such order include payment to offset the cost of any such
65 premium if such payment would reduce the amount of current
66 support required under the child support guidelines."